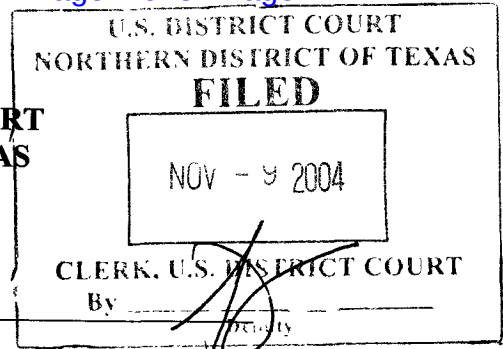


DND

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



ALIXPARTNERS, LLC,
a Delaware limited liability company

Civil No. _____

Plaintiff

vs.

GARY M. KORNMAN,
an individual, and
MICHAEL M. KORNMAN,
an individual, jointly and severally

304 CV 2417 D

Defendants

COMPLAINT ON AN ACCOUNT

1. Plaintiff is a limited liability company organized under the laws of the State of Delaware having its principal place of business in the State of Michigan, and defendants are citizens of the State of Texas. The matter in controversy exceeds, exclusive of interest and costs, the sum of \$75,000.00. Jurisdiction is founded on diversity of citizenship and amount.

2. Defendants, jointly and severally, owe plaintiff \$91,805.68 according to the account annexed hereto as Exhibit A.

Wherefore, plaintiff demands judgment against defendants, jointly and severally, for the sum of \$91,805.68, interest, and costs.

Dated: November 9, 2004

Sheldon S. Toll (Texas No. 20107080)
2100 McKinney Ave., Suite 800
Dallas, TX 75201
(214) 647-7500
lawtoll@comcast.net



Detroit New York Chicago Dallas

June 18, 2004

Robert Petty
Lynn Tillotson & Pinker
750 N. St. Paul
Suite 1400
Dallas, TX 75201

Re: AE Marketing v Jenkins-Baldwin

Federal ID 38-3637158

For Professional Services:

Total Fees Due	\$ 83,058.75
Total Expenses Due	8,746.93

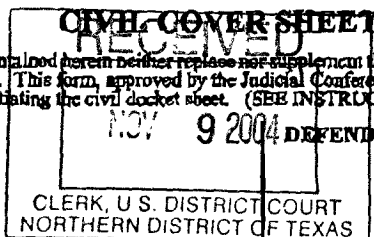
Total Amount Due Upon Receipt	\$ 91,805.68
	=====



JS 44 (Rev. 3/93)

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS



DEFENDANTS

304 CV 2417D

(b) County of Residence of First Listed Plaintiff Oakland Co., MI
(EXCEPT IN U.S. PLAINTIFF CASES)County of Residence of First Listed Defendant Dallas Co., TX
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

(c) Attorney's (Firm Name, Address, and Telephone Number)

Sheldon S. Toll
Sheldon S. Toll PLLC
2100 McKinney Ave. Ste 800, Dallas TX 75201
214-647-7500

Attorneys (If Known)

Mark Bennett
Bennett, Weston & Lajone, P.C.
1750 Valley View Ln, Ste 120, Dallas TX 75234
214-691-1776

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☐ 3 Federal Question (U.S. Government Not a Party)
☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State ☐ 1 ☒ 2 Incorporated or Principal Place of Business in This State ☐ 3 ☒ 4
Citizen of Another State ☐ 1 ☐ 2 Incorporated and Principal Place of Business in Another State ☐ 3 ☐ 4
Citizen or Subject of a Foreign Country ☐ 1 ☐ 2 Foreign Nation ☐ 3 ☐ 4

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 160 Maritime Act <input type="checkbox"/> 170 Recovery of Debt/Unpaid Student Loans (Excl. Veterans) <input type="checkbox"/> 180 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 190 Stockholders' Suits <input type="checkbox"/> 200 Other Contract <input type="checkbox"/> 210 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Assault <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 424 Copyright <input type="checkbox"/> 430 Patent <input type="checkbox"/> 440 Trademark SOCIAL SECURITY <input type="checkbox"/> 451 FGA (1395m) <input type="checkbox"/> 452 Black Lung (923) <input type="checkbox"/> 453 DIWC/DIWW (405(g)) <input type="checkbox"/> 454 SSD Title XVI <input type="checkbox"/> 455 RSI (404(g)) FEDERAL TAX SUITS <input type="checkbox"/> 470 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 471 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 480 State Reapportionment <input type="checkbox"/> 485 Antitrust <input type="checkbox"/> 490 Bank and Banking <input type="checkbox"/> 495 Commerce/ICC Rates/etc. <input type="checkbox"/> 499 Deportation <input type="checkbox"/> 470 Redemptive Indemnity and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Pen Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 990 Other Statutory Actions
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Eminent Domain <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Term to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motion to Vacate Sentence <input type="checkbox"/> 515 Habeas Corpus <input type="checkbox"/> 520 General <input type="checkbox"/> 525 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Conditions		

V. ORIGIN (PLACE AN "X" IN ONE BOX ONLY)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from another district (specify)
☐ 6 Multidistrict Litigation
☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

Complaint on an Account, diversity of citizenship, 28 U.S.C. 1332

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$ 91,805.68

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) (See instructions): IF ANY

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT# _____ AMOUNT _____ APPLYING IT# _____ JUDGE _____ MAG. JUDGE _____